

SUPPLEMENTAL DETAILED ACTION

Acknowledgements

This supplemental detailed action considers the IDS filed 11/14/2008, which was inadvertently incorrectly marked up in the PTO-1449 mailed 01/23/2009.

Information Disclosure Statement

The information disclosure statement (IDS) that was submitted on 11/14/2008 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

Allowable Subject Matter

Claims 1-8 are allowed over the prior art of record as amended in the 10/15/2009 reply.

The following is an examiner's statement of reasons for allowance: The claims in this application have been allowed because the prior art of record fails to disclose either singly or in combination the claimed device of a method for inserting a subcutaneous infusion device into a subcutaneous layer of skin of a patient. Some devices automatically retract a needle used to introduce the cannula. Upon full introduction of the needle and associated cannula of the subcutaneous infusion device into a subcutaneous layer of skin of a patient, the device can move the needle into a retracted state.

The closest prior art of record is Mogensen et al. (US2003/0109829) and Hun et al. (US2004/0158207), however these references do not disclose the device as claimed or described above.

Regarding claim 1, the closest prior art of record fails to teach among all the limitations or render obvious the specifics of the cannula insertion device's manual insertion and automatic retraction.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER D. KOHARSKI whose telephone number is (571)272-7230. The examiner can normally be reached on 5:30am to 2:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Date: 03/18/2010

/Christopher D Koharski/
Examiner, Art Unit 3763

/Nicholas D Lucchesi/
Supervisory Patent Examiner, Art Unit 3763